

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LSC DEVELOPMENT, LLC, and COBALT
COMMERCIAL CONSTRUCTION, LLC,

Plaintiffs,

v.

STEPHEN R. OSBORNE, MICHAEL C.
CALKA, SCOTT L. DIPARVINE, CDK
DEVELOPMENT LLC,

Defendants.

Case No. 1:18-cv-05909

Judge Charles R. Norgle Sr.

STEPHEN R. OSBORNE and CDK
DEVELOPMENT LLC,

Counterclaim Plaintiffs and Third
Party Plaintiffs,

v.

LSC DEVELOPMENT, LLC,

Counterclaim Defendant,

and

CHRISTOPHER BARRY,

Third Party Defendant.

JOINT STATUS REPORT

Pursuant to the Court's February 24, 2021 Order (Dkt. 61), Plaintiff and Counterclaim Defendant LSC Development, LLC, Plaintiff Cobalt Commercial Construction, LLC, Third-Party Defendant Christopher Barry, Defendants/Counterclaim Plaintiffs and Third-Party Plaintiffs Stephen R. Osborne and CDK Development LLC, and Defendants Michael C. Calka and Scott L. DiParvine (collectively, the "Parties"), through their respective counsel, submit this Joint Status Report.

On May 24, 2019, the Court denied Defendants' Motion to Dismiss the Complaint. Dkt. 23. On June 21, 2019, Defendants answered Plaintiffs' Complaint and alleged counterclaims against LSC Development, LLC and claims against Third Party Defendant Christopher Barry. Dkt. 27. On August 7, 2019, LSC Development, LLC and Christopher Barry answered the counterclaims and Third Party Complaint. Dkt. 34.

Both Parties have produced significant amounts of documents during discovery. The Parties have also resolved several discovery issues through the meet and confer process. Due to the COVID-19 pandemic, no depositions have taken place. On February 23, 2021, the Parties submitted a joint status report seeking to extend the deadline for depositions to occur from April 30, 2021 (*see* Dkt. 51) to August 20, 2021. On March 9, 2021, the Parties again discussed scheduling of depositions. The Parties continue to confer regarding the discovery to be completed, including the scheduling of depositions.

In light of present travel restrictions, and depending on how the pandemic progresses, the Parties may need to request—jointly or otherwise—further extensions of the discovery schedule as the matter progresses.

There are no motions pending before the Court.

Dated: April 19, 2021

Respectfully submitted,

/s/ Charles B. Leuin

Charles B. Leuin
Benesch, Friedlander, Coplan &
Aronoff LLP
71 South Wacker Drive, Suite 1600
Chicago, IL 60606
Telephone: 312.212.4949
Facsimile: 312.767.9192
cleuin@beneschlaw.com

/s/ Andrew S. Rosenman

Andrew S. Rosenman
David S. Levine
71 South Wacker Drive
Chicago, IL 60606
Phone: 312-782-0600
Fax: 312-701-7711
arosenman@mayerbrown.com
dlevine@mayerbrown.com

Attorney for Stephen R. Osborne, Michael C. Calka, Scott L. DiParvine, and CDK Development LLC

Attorneys for LSC Development, LLC, Cobalt Commercial Construction, LLC, and Christopher Barry